IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 1ST MARCH 2007 / 10TH PHALGUNA 1928

Crl.Rev.Pet.No. 920 of 2007

CRA.1055/2005 of THE ADDL.SESSIONS JUDGE (ADHOC-II), ERNAKULAM
ST.3722/2002 of JUDL.MAGISTRATE OF FIRST CLASS, PERUMBAVOOR

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REVN. PETITIONER:

K.K. PATHROSE, KAPPADACKAMADATHIL HOUSE,
MUDAKUZHA P.O.

BY ADV. SRI.P.T.JOSE

RESPONDENTS:
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1. SAJI MATHEW, PADAYATTIL HOUSE,
MUDAKKARI, KURUPPAMPADY P.O.

2. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, ERNAKULAM.

R2 BY PUBLIC PROSECUTOR MR. BREEZE .M..S.

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 01/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

CRL.R.P.NO.920 of 2007

DATED THIS THE 1st DAY OF MARCH 2007

ORDER

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced, as modified by the appellate court, to imprisonment for a period of one month and to pay a sum of Rs.55,000/- as compensation under Section 357(3)Cr.P.C. and in default to undergo simple imprisonment for 45 days. The revision petitioner has sought for modification of the sentence and time to make the payment.

In the circumstances, the sentence is modified to imprisonment till the rising of the court. The remaining portion of the sentence is confirmed. The revision petitioner is granted four months time to make the payment. He shall appear before the Judicial Magistrate of First Class-I,Perumbavoor on 30-6-2007 to receive sentence. Non-bailable warrant is not to be issued till then. The Crl.revision petition is disposed of accordingly.

K.R.UDAYABHANU, JUDGE

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